

UNITED STATES DISTRICT COURT

Eskew

District of

*Massachusetts**Eduardo Lopez*

Plaintiff

v

Michael T. Morley

Defendant

FILED
CLERK'S OFFICE

JAN 27 A 10:56

DISTRICT COURT
DISTRICT OF MASS.APPLICATION TO PROCEED
WITHOUT PREPAYMENT OF
FEES AND AFFIDAVIT

CASE NUMBER:

I, Eduardo Lopez declare that I am the (check appropriate box)☒ petitioner/plaintiff/movant ☐ other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated?
- ☒
- Yes
- ☐
- No (If "No," go to Part 2)

If "Yes," state the place of your incarceration South A. Baccanawick Corr. Inst.Are you employed at the institution? no Do you receive any payment from the no

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed?
- ☐
- Yes
- ☒
- No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer. N/A

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

April / 2001 \$282 per month in the past.

3. In the past 12 twelve months have you received any money from any of the following sources?

- | | | |
|---------------------------------------------------|-----------------------------------------|----------------------------------------|
| a. Business, profession or other self-employment | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b. Rent payments, interest or dividends | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c. Pensions, annuities or life insurance payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| d. Disability or workers compensation payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| e. Gifts or inheritances | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| f. Any other sources | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

Family only \$ 50. 00*see attached sheet. Doc treasury.*

1. TITLE OF CASE (NAME OF FIRST PARTY ON EACH SIDE ONLY) Eduardo Lopez -V- Michael F. Maloney ET AL
2. CATEGORY IN WHICH THE CASE BELONGS BASED UPON THE NUMBERED NATURE OF SUIT CODE LISTED ON THE COVER SHEET. (SEE LOCAL RULE 40.1(A)(1)).
- I. 160, 410, 470, R.23, REGARDLESS OF NATURE OF SUIT.
- ☒ II. 195, 368, 400, 440, 441-444, 540, ~~550~~, 555, 625, 710, 720, 730, 740, 790, 791, 820*, 830*, 840*, 850, 890, 892-894, 895, 950. *Also complete AO 120 or AO 121 for patent, trademark or copyright
- III. 110, 120, 130, 140, 151, 190, 210, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 370, 371, 380, 385, 450, 891.
- IV. 220, 422, 423, 430, 460, 510, 530, 510, 620, 630, 640, 650, 660, 690, 610, 661-665, 670, 671, 675, 900.
- V. 150, 152, 153.
3. TITLE AND NUMBER, IF ANY, OF RELATED CASES. (SEE LOCAL RULE 40.1(G)). IF MORE THAN ONE PRIOR RELATE HAS BEEN FILED IN THIS DISTRICT PLEASE INDICATE THE TITLE AND NUMBER OF THE FIRST FILED CASE IN THIS (N/A)
4. HAS A PRIOR ACTION BETWEEN THE SAME PARTIES AND BASED ON THE SAME CLAIM EVER BEEN FILED IN THIS COURT?
- YES ☐ NO ☒
5. DOES THE COMPLAINT IN THIS CASE QUESTION THE CONSTITUTIONALITY OF AN ACT OF CONGRESS AFFECTING PUBLIC INTEREST? (SEE 28 USC §2403)
- YES ☐ NO ☒
- IF SO, IS THE U.S.A. OR AN OFFICER, AGENT OR EMPLOYEE OF THE U.S. A PARTY?
- YES ☐ NO ☒
6. IS THIS CASE REQUIRED TO BE HEARD AND DETERMINED BY A DISTRICT COURT OF THREE JUDGES PURSUANT TO 28 USC §2284?
- YES ☐ NO ☒
7. DO ALL OF THE PARTIES IN THIS ACTION, EXCLUDING GOVERNMENTAL AGENCIES OF THE UNITED STATES AND COMMONWEALTH OF MASSACHUSETTS ("GOVERNMENTAL AGENCIES"), RESIDING IN MASSACHUSETTS RESIDE SAME DIVISION? - (SEE LOCAL RULE 40.1(O)).
- YES ☒ NO ☐
- A. IF YES, IN WHICH DIVISION DO ALL OF THE NON-GOVERNMENTAL PARTIES RESIDE?
- EASTERN DIVISION ☐ CENTRAL DIVISION ☒ WESTERN DIVISION ☐
- B. IF NO, IN WHICH DIVISION DO THE MAJORITY OF THE PLAINTIFFS OR THE ONLY PARTIES, EXCEPT GOVERNMENTAL AGENCIES, RESIDING IN MASSACHUSETTS RESIDE?
- EASTERN DIVISION ☐ CENTRAL DIVISION ☐ WESTERN DIVISION ☐
- (PLEASE TYPE OR PRINT)
- ATTORNEY'S NAME Eduardo Lopez
- ADDRESS P.O. Box 30000 Shirley MA 01462
- TELEPHONE NO. _____

(Cover sheet local.wpd - 11/27/00)

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF CORRECTION**

Inmate Transaction Report

Date : 20040120 09:25

Commit# : T23946

SOUZA-BARANOWSKI CORRECTIONAL

Page : 4

Name : LOPEZ, EDUARDO, ,

Statement From 20020101

Inst : SOUZA-BARANOWSKI CORRECTIONAL

To 20040120

Block : K2

Cell/Bed : 47 /A

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
Disbursement									
20030610 16:21	IS Interest	1224121		SBCC		\$0.36	\$0.00	\$0.00	\$0.00
20030613 22:30	CN - Canteen	1261351		SBCC	-Canteen Date : 200306	\$0.00	\$23.82	\$0.00	\$0.00
20030617 09:18	ML - Mail	1267159		SBCC	-JUANA LOPEZ	\$60.00	\$0.00	\$0.00	\$0.00
20030617 11:08	EX - External Disbursement	1267950	16683	SBCC	-BOOK-ED FARRON	\$0.00	\$54.00	\$0.00	\$0.00
20030619 09:54	ML - Mail	1283840		SBCC	-Carmen, 15 Howard St, Nashua	\$80.00	\$0.00	\$0.00	\$0.00
20030620 22:30	CN - Canteen	1290300		SBCC	-Canteen Date : 200306	\$0.00	\$25.51	\$0.00	\$0.00
20030624 14:56	IC - Transfer from Inmate to Club A/c	1297452		SBCC	-photo for 7/4-PHOTO - 213	\$0.00	\$7.50	\$0.00	\$0.00
20030627 22:30	CN - Canteen	1319583		SBCC	-Canteen Date : 200306	\$0.00	\$27.09	\$0.00	\$0.00
20030703 22:30	CN - Canteen	1342435		SBCC	-Canteen Date : 200307	\$0.00	\$31.03	\$0.00	\$0.00
20030708 09:55	EX - External Disbursement	1351201	16884	SBCC	-BOOK-JOHN A. KOERNER	\$0.00	\$50.00	\$0.00	\$0.00
20030709 09:56	ML - Mail	1356128		SBCC	-UNKNOWN	\$50.00	\$0.00	\$0.00	\$0.00
20030709 16:10	IS Interest	1358382		SBCC		\$0.23	\$0.00	\$0.00	\$0.00
20030711 22:30	CN - Canteen	1390547		SBCC	-Canteen Date : 200307	\$0.00	\$16.21	\$0.00	\$0.00
20030718 09:21	ML - Mail	1417731		SBCC	-AARON LOPEZ	\$50.00	\$0.00	\$0.00	\$0.00
20030718 22:30	CN - Canteen	1420392		SBCC	-Canteen Date : 200307	\$0.00	\$21.92	\$0.00	\$0.00
20030722 09:19	EX - External Disbursement	1425166	17057	SBCC	-BOOK-PITBULL STUFF	\$0.00	\$63.94	\$0.00	\$0.00
20030722 09:59	ML - Mail	1425556		SBCC	-AARON LOPEZ	\$50.00	\$0.00	\$0.00	\$0.00
20030723 08:58	EX - External Disbursement	1430170	17073	SBCC	-MAG.-AMERICAN PITBULL CAZETTE	\$0.00	\$35.00	\$0.00	\$0.00
20030725 22:30	CN - Canteen	1448954		SBCC	-Canteen Date : 200307	\$0.00	\$20.46	\$0.00	\$0.00
20030801 22:30	CN - Canteen	1476257		SBCC	-Canteen Date : 200308	\$0.00	\$19.86	\$0.00	\$0.00
20030807 15:29	IS - Interest	1501260		SBCC		\$0.15	\$0.00	\$0.00	\$0.00
20030808 22:30	CN - Canteen	1521393		SBCC	-Canteen Date : 200308	\$0.00	\$19.37	\$0.00	\$0.00
20030815 22:30	CN - Canteen	1550331		SBCC	-Canteen Date : 200308	\$0.00	\$15.91	\$0.00	\$0.00
20030819 07:52	ML - Mail	1554963		SBCC	-Carmen, 15 Hanover St Nashua	\$80.00	\$0.00	\$0.00	\$0.00
20030821 16:43	CI - Transfer from Club to Inmate A/c	1572447		SBCC	-Cntr find-T23946 LOPEZ, EDUARDO PERSONAL-KCN WASH ACCOUNT - 25	\$1.26	\$0.00	\$0.00	\$0.00
20030822 22:30	CN - Canteen	1579175		SBCC	-Canteen Date : 200308	\$0.00	\$20.93	\$0.00	\$0.00

DEPARTMENT OF CORRECTION

Inmate Transaction Report

Date : 20040120 09:25

Commit# : T23946

SOUZA-BARANOWSKI CORRECTIONAL

Page : 5

Name : LOPEZ, EDUARDO, ,

Statement From 20020101

Inst : SOUZA-BARANOWSKI CORRECTIONAL

To 20040120

Block : K2

Cell/Bed : 47 /A

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
20030829 22:30	CN - Canteen	1607191		SBCC	-Canteen Date : 200308	\$0.00	\$10.73	\$0.00	\$0.00
20030904 16:44	CT - Transfer from Club to Tumate A/c	1625889		SBCC	-baseball championship winner-T23946 LOPEZ, EDUARDO PERSONAL-INMATE BENEFIT - 21	\$5.00	\$0.00	\$0.00	\$0.00
20030906 22:30	CN - Canteen	1631317		SBCC	-Canteen Date : 200309	\$0.00	\$45.27	\$0.00	\$0.00
20030910 07:51	IS - Interest	1644467		SBCC		\$0.07	\$0.00	\$0.00	\$0.00
20030915 08:43	CN - Canteen	1677924		SBCC	-Canteen Date : 200309	\$0.00	\$30.78	\$0.00	\$0.00
20030922 08:58	ML - Mail	1709070		SBCC	-CARMEN AGUIRE	\$100.00	\$0.00	\$0.00	\$0.00
20030926 22:30	CN - Canteen	1737049		SBCC	-Canteen Date : 200309	\$0.00	\$25.26	\$0.00	\$0.00
20031003 22:30	CN - Canteen	1765095		SBCC	-Canteen Date : 200310	\$0.00	\$32.67	\$0.00	\$0.00
20031008 16:55	IS - Interest	1779933		SBCC		\$0.05	\$0.00	\$0.00	\$0.00
20031010 22:30	CN - Canteen	1811109		SBCC	-Canteen Date : 200310	\$0.00	\$21.79	\$0.00	\$0.00
20031015 09:37	EX - External Disbursement	1818595	18117	SBCC	-BOOK-EDWARD R. HAMILT	\$0.00	\$7.95	\$0.00	\$0.00
20031017 22:30	CN - Canteen	1838575		SBCC	-Canteen Date : 200310	\$0.00	\$12.36	\$0.00	\$0.00
20031021 09:02	ML - Mail	1843450		SBCC	-15 HANOVER ST	\$80.00	\$0.00	\$0.00	\$0.00
20031021 10:41	EX - External Disbursement	1844415	18203	SBCC	-BOOK-CARY HAMMONDS	\$0.00	\$55.00	\$0.00	\$0.00
20031024 10:01	ML - Mail	1865421		SBCC	-EDWARD R HAMILTON REFUND	\$0.50	\$0.00	\$0.00	\$0.00
20031024 22:30	CN - Canteen	1867212		SBCC	-Canteen Date : 200310	\$0.00	\$16.51	\$0.00	\$0.00
20031031 22:30	CN - Canteen	1895373		SBCC	-Canteen Date : 200310	\$0.00	\$7.15	\$0.00	\$0.00
20031107 16:25	IS - Interest	1925069		SBCC		\$0.03	\$0.00	\$0.00	\$0.00
20031107 22:30	CN - Canteen	1940521		SBCC	-Canteen Date : 200311	\$0.00	\$1.23	\$0.00	\$0.00
20031114 22:30	CN - Canteen	1968613		SBCC	-Canteen Date : 200311	\$0.00	\$0.64	\$0.00	\$0.00
20031117 10:26	ML - Mail	1970078		SBCC	-CARMEN	\$100.00	\$0.00	\$0.00	\$0.00
20031117 11:11	EX - External Disbursement	1970258	18567	SBCC	-MAGAZINE -BILL STEWART	\$0.00	\$40.00	\$0.00	\$0.00
20031120 11:10	IC - Transfer from Tumate to Club A/c	1991459		SBCC	-postage-POSTAGE - 211	\$0.00	\$3.95	\$0.00	\$0.00
20031121 22:30	CN - Canteen	1998202		SBCC	-Canteen Date : 200311	\$0.00	\$49.82	\$0.00	\$0.00
20031126 22:30	CN - Canteen	2015556		SBCC	-Canteen Date : 200311	\$0.00	\$5.86	\$0.00	\$0.00
20031128 09:54	ML - Mail	2024064		SBCC	-15 HANOVER ST	\$50.00	\$0.00	\$0.00	\$0.00
20031205 22:30	CN - Canteen	2053766		SBCC	-Canteen Date : 200312	\$0.00	\$45.75	\$0.00	\$0.00

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF CORRECTION**

Inmate Transaction Report

Date : 20040120 09:25

Commit# : T23946

SOUZA-BARANOWSKI CORRECTIONAL

Page : 6

Name : LOPEZ, EDUARDO, ,

Statement From 20020101

Inst : SOUZA-BARANOWSKI CORRECTIONAL

To 20040120

Block : K2

Cell/Bed : 47 /A

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
20031209 13:38	IS - Interest	2061310		SBCC		\$0.01	\$0.00	\$0.00	\$0.00
20031212 22:30	CN - Canteen	2099152		SBCC	-Canteen Date : 200312	\$0.00	\$4.67	\$0.00	\$0.00
20031217 10:05	ML - Mail	2110400		SBCC	-MYRNA	\$40.00	\$0.00	\$0.00	\$0.00
20031217 16:07	CT - Transfer from Club to Inmate A/c	2112450		SBCC	-flag football championships-T23946 LOPEZ, EDUARDO PERSONAL-INMATE BENEFIT - 21	\$5.00	\$0.00	\$0.00	\$0.00
20031219 10:17	ML - Mail	2128349		SBCC	-CARMEN	\$100.00	\$0.00	\$0.00	\$0.00
20031219 22:30	CN - Canteen	2131620		SBCC	-Canteen Date : 200312	\$0.00	\$38.10	\$0.00	\$0.00
20031222 15:53	EX - External Disbursement	2137029	18977	SBCC	-SURV-AADR'S BULL-A-TO	\$0.00	\$30.00	\$0.00	\$0.00
20031224 22:30	CN - Canteen	2150138		SBCC	-Canteen Date : 200312	\$0.00	\$23.27	\$0.00	\$0.00
20031229 11:39	EX - External Disbursement	2164848	19048	SBCC	-Catalog -Newmans Leather & Nyl	\$0.00	\$1.00	\$0.00	\$0.00
20040102 10:52	ML - Mail	2186609		SBCC	-UNKNOWN	\$100.00	\$0.00	\$0.00	\$0.00
20040102 11:19	EX - External Disbursement	2187038	19102	SBCC	-PERSONAL-A.D.B.A.	\$0.00	\$25.00	\$0.00	\$0.00
20040102 22:30	CN - Canteen	2189151		SBCC	-Canteen Date : 200401	\$0.00	\$16.19	\$0.00	\$0.00
20040109 22:30	CN - Canteen	2221376		SBCC	-Canteen Date : 200401	\$0.00	\$22.38	\$0.00	\$0.00
20040112 15:33	EX - External Disbursement	2223936	19215	SBCC	-BOOK-JACK KELLY	\$0.00	\$12.00	\$0.00	\$0.00
20040113 12:02	IS - Interest	2228874		SBCC		\$0.05	\$0.00	\$0.00	\$0.00
20040116 22:30	CN - Canteen	2263713		SBCC	-Canteen Date : 200401	\$0.00	\$26.66	\$0.00	\$0.00

	Personal	Savings
Balance as of ending date	\$50.51	\$0.00

Current Balances :

Personal	Savings	Freeze	Loan	Restitution	Sentence
\$50.51	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00